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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/601,530

06/24/2003

Kimihide Takahashi

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SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER

MADDEN, GREGORY VINCENT

ART UNIT

PAPER NUMBER

2622

MAIL DATE

DELIVERY MODE

09/11/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief	Application No. 10/601,530	Applicant(s) TAKAHASHI, KIMIHIDE	
	Examiner Gregory V. Madden	Art Unit 2622	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 23 August 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: 11.
Claim(s) objected to: _____.
Claim(s) rejected: 1-10, 13-19, and 21.
Claim(s) withdrawn from consideration: ~~10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21~~

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See continuation sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

CONTINUATION OF PTOL-303

Response to Arguments

Applicant's arguments filed August 23, 2007 have been fully considered but they are not persuasive.

First, regarding **claims 1 and 2**, the Applicant argues that the combination of Nishimura in view of Ganthier would not be operable if combined, as the Applicant contends that such a combination would require connection wiring running from the camera to the device mount, thereby increasing the chance of breaking a cable and inhibiting movement of the camera. While such a chance for cable breakage may be increased with any increase in wiring, additional wiring would not necessarily render the combined system of Nishimura and Ganthier inoperable, as the mere possibility of breakage does not adequately disqualify the combination. Thus, the Examiner believes that the rejection to claims 1 and 2 is proper, and the claims remain rejected under 35 U.S.C. 103(a).

As for **claim 9**, the Applicant argues that the changing of auto focus and zoom settings do not correspond to the changing of the operation mode of the camera. However, by changing the settings for zoom and auto focus solely on the position of the movable means (i.e. changing the settings when switched from person pickup mode to document pickup mode), an "operation mode" of the digital camera is changed. The Examiner interprets operation modes of the digital camera to be any operation within the digital camera, thereby including zoom and auto focus as operation modes. Such an interpretation is not considered to be unduly broad, as the Examiner believes that zooming and auto focus operations that take place in the camera can separately be considered "modes", as settings within the camera are changed during the operations. For the above reasons, the rejection to claim 9 is maintained, as will be set forth below.

Considering **claim 13**, the Applicant argues that Col. 3, Lines 33-36 of Nishimura teaches operations of a camera function only, not the claimed “camera mode” and “non-camera mode”. While the Applicant argues that a camera function is an image pick-up, regardless of subject, the Examiner interprets that the “camera mode” is the mode in which the camera is picking up an image of a user. Thus, any mode that is not the “camera mode” can be considered a “non-camera mode”. As such, the document capture mode taught by Nishimura is considered a “non-camera mode” in this instance, even if image pick-up is taking place. Therefore, the rejection of claim 13, along with claims 16 and 18, is maintained.

In regard to **claim 14**, the Applicant argues that because the PC camera mode of claim 14 would have its own storage, there would not be a separate non-camera storage mode, and thus no inherent need or suggestion for a separate non-camera storage mode. However, the Examiner believes that it would have been obvious to one of ordinary skill in the art to have incorporated a storage mode with the document pick-up mode of Nishimura, as it would be advantageous to not only view the captured documents on monitor 1, but to also save the captured images of the documents for subsequent viewing and/or processing. Such a configuration would provide for an archive of the electronic conference events. Thus, the rejection of claim 14 is maintained, as is the rejection to analogous claims 17, 19, and 21.

As for **claim 15**, the Applicant again argues that there is no inherent need or suggestion for separate non-camera storage. However, the Examiner still believes that it would have been obvious to one of ordinary skill in the art to have a digital camera function as a cardreader in a storage mode, as such a configuration allows captured images saved within the digital camera to be provided to an external device (e.g. monitor 1 or a PC) for subsequent viewing and/or processing. This configuration would provide for an archive of the electronic conference events. Thus, the rejection of claim 15 is maintained.

Finally, regarding **claim 19**, the applicant argues that incorporating a storage mode with the document pick-up feature would require additional components, thus increasing the size of the camera.

Art Unit: 2622

However, regardless of any detrimental affects of adding storage in the document pick-up mode, the Examiner believes it would have been obvious to one of ordinary skill in the art to have incorporated a storage mode with the document pick-up mode of Nishimura, as it would be advantageous to not only view the captured documents on monitor 1, but to also save the captured images of the documents for subsequent viewing and/or processing. Such a configuration would provide for an archive of the electronic conference events. Thus, the rejection of claim 19 is maintained.

Allowable Subject Matter

It is noted that the Applicant has amended claim 11 to include the limitations of independent claim 9. Claim 11 had previously been objected to as being allowable if rewritten in independent form. With the amendment, claim 11 is considered to be allowable over the prior art.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding **claim 11**, the prior art fails to teach or reasonably suggest a digital camera comprising a signal receiving device which receives a command signal generated according to a position of a movable portion of the removable cradle, a mode control device which changes operation modes according to the command signal obtained through the signal receiving device, and a charge control device which, when the digital camera is mounted on the cradle with the digital camera being powered down, automatically sets a charge mode where a battery in the digital camera is charged by power supplied through the camera.

Conclusion

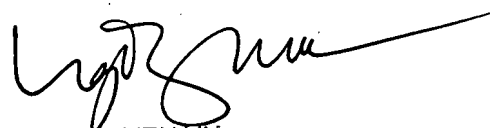
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory V. Madden whose telephone number is 571-272-8128. The examiner can normally be reached on Mon.-Fri. 8AM-5PM.

Art Unit: 2622

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc Yen Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Gregory Madden
August 29, 2007



NGOC-YEN VU
SUPERVISORY PATENT EXAMINER